

### **REMARKS**

In response to the Office Action mailed 1 April 2010, the Applicants request the Examiner to enter the above amendments and reconsider the above-captioned application in view of the above amendments and the following comments.

In the Office Action, Claims 1-11 and 18-38 were pending. By this paper, Claims 2, 3, 19, 20 and 28 have been amended. Claims 1-11 and 18-38 remain pending in this application. In view of the following remarks, Applicant requests further examination and reconsideration of the present patent application.

### **Allowed Subject Matter**

The Examiner has indicated that Claims 1, 4-11, 18 and 21-27 are allowed. The Applicants have not modified these claims.

### **Rejection of Claims under §112**

The Examiner has rejected Claims 2 and 19 as being indefinite under 35 U.S.C. §112, due to the use of an enumerated list whose elements were not clearly distinguished. The Applicants have amended Claims 2 and 19 in order to address this issue, and submit that, as amended, Claims 2 and 19 present an unambiguous list that is definite and satisfies the requirements of §112. The Applicants therefore request that the Examiner withdraw the rejection of Claims 2 and 19 under §112 and pass these claims to allowance.

The Examiner has also rejected Claims 3 and 20 as being indefinite under §112 for reciting intangible activities as possible “data sources”. As the Examiner has suggested, the Applicants have amended Claims 3 and 20 to properly recite that the “*information received from*” these activities are the claimed data sources. The Applicants submit that with this amendment, Claims 3 and 20 satisfy the requirements of §112 and request that the Examiner pass these Claims to allowance.

### **Response to Rejection under 37 U.S.C. §102**

The Examiner has rejected independent Claim 28, as well as those claims which depend from Claim 28, as being anticipated by U.S. Patent Application Publication Number 2003/0220867 to Goodwin et al. (hereinafter “Goodwin”). In particular, the Examiner notes that the recited elements of Claim 28 are drawn strictly to the display of screens that allow for or permit user activity, but no actual activity is recited.

The Applicants have amended Claim 28 in order to more fully recite the subject matter claimed. In particular, the Applicants note that Claim 28 now recites method steps that include the receipt of values for various attributes and parameters, as well as the selection of attributes. Claim 28 also recites the step of the calculation of the final displayed value, and the output of this value.

With these amendments, the Applicants submit that Claim 28 presents elements not found within Goodwin, and that the rejection of Claim 28 over Goodwin is not applicable to Claim 28 as amended. Because Claims 29-38 all depend from Claim 28, they include all of the recited limitations of Claim 28. The Applicants therefore submit that each of Claims 28-38 includes limitations not taught or suggested by Goodwin, and that Claims 28-38 are not anticipated by Goodwin.

The Applicants request that the Examiner withdraw the rejection under §102 of Claims 28-38 and pass these claims to allowance.

In light of these amendments and arguments, the Applicants submit that all Claims pending in the case are in a condition for immediate allowance, and request that the Examiner allow the claims as amended herein. If other minor issues remain unresolved, the Examiner is invited to telephone the Applicant's counsel at the number provided below. Any additional fees for the accompanying response are hereby petitioned for, and the Director is authorized to charge such fees as may be required to Deposit Account 07-0868.

Respectfully submitted,

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